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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

GWEN L. WILLIAMS

CIVIL ACTION NO. 06-0644

VS.

JUDGE HAIK

DANNY RAY HOWZE
SWIFT TRANSPORTATION, INC.
ACE AMERICAN INSURANCE CO.

MAGISTRATE JUDGE METHVIN

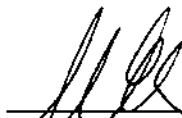
JURISDICTIONAL REVIEW RULING

This case was removed from a local state court based on the allegation of defendants Swift Transportation, Inc. and Danny Ray Howze that the matter in controversy exceeds \$75,000 and that this court therefore has diversity jurisdiction under 28 U.S.C. §1332. As required by a standing order of this court, the undersigned has reviewed the record and concludes that the jurisdictional amount has been established. Relevant jurisdictional facts which have been provided include that plaintiff alleges that she suffered severe injuries when the vehicle she was traveling in was struck by defendants' tractor-trailer truck. In the Notice of Removal, defendants assert that plaintiff has been diagnosed with osteoarthritis of her right knee and that she is "a candidate for arthroscopic evaluation of a torn meniscus."¹ Moreover, plaintiff submitted a Jurisdictional Brief, explaining that the cost of the arthroscopic evaluation is approximately \$11,500.00. Additionally, plaintiff had incurred approximately \$15,000.00 in lost wages at the time of removal. Defendants and plaintiff also cite caselaw involving similar facts which reflect verdicts in the amount of \$75,000.00 or more.

¹ Rec. Doc. 7.

Considering the foregoing, the undersigned concludes that the requisite jurisdictional amount has been established.

Signed at Lafayette, Louisiana on this 10th day of August, 2006.



Mildred E. Methvin
United States Magistrate Judge
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